

EXHIBIT 2

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Abbott GmbH & Co., KG,)
Abbott Bioresearch Center,)
Inc., and Abbott Biotechnology)
Ltd.,)

Plaintiffs,)

vs.)

Case No. 09cv11340-FDS

Centocor Ortho Biotech, Inc.,)
Centocor Biologics, LLC,)
Defendant.)

BEFORE: The Honorable F. Dennis Saylor, IV

Motion Hearing

United States District Court
Courtroom No. 2
One Courthouse Way
Boston, Massachusetts
December 7, 2011

Marianne Kusa-Ryll, RDR, CRR
Official Court Reporter
United States District Court
595 Main Street, Room 514A
Worcester, MA 01608-2093
508-929-3399 justicehill@aol.com
Mechanical Steno - Transcript by Computer

14:05:40 1 for the 146 action.

14:05:41 2 And what I intended to say and what I think
14:05:44 3 is clear from the rest of the context is that if there's
14:05:47 4 a final decision in the 146 action, that that would bar
14:05:51 5 presenting an obviousness defense in the infringement
14:05:54 6 action, but I think I didn't say that very well, so I
14:05:58 7 just wanted to clarify that.

14:05:59 8 THE COURT: All right.

14:06:01 9 MS. ELDERKIN: Turning to summary judgment
14:06:04 10 No. 3, Centocor's summary judgment motion for invalidity
14:06:07 11 of the p19 claims for lack of written description.

14:06:11 12 This motion presents additional reason -- an
14:06:14 13 additional reason why certain of the claims are invalid
14:06:17 14 for failing to meet the written description requirement.
14:06:20 15 And these particular claims are all in the '485 patent.
14:06:23 16 They are claims 1, 3, 4, 6 through 11, 15, 18, 19, and
14:06:31 17 24 to 26.

14:06:32 18 Now, these are all claims that are not
14:06:35 19 limited to antibodies that bind to IL-12, the antigen
14:06:42 20 IL-12. They are broad enough to encompass antibodies
14:06:46 21 that also bind to a dimer that is formed from the p40
14:06:50 22 subunit, which is also found in IL-12, but where that
14:06:55 23 p40 subunit is bonded to something else, something
14:06:58 24 that's referred to in the patent as a "novel p19
14:07:02 25 molecule."